

REMARKS

Introduction

Claims 1 – 16 were originally pending in this application. Claims 1 and 5 – 7 were amended, claims 2 and 8 – 16 were cancelled, and claims 17 – 22 were added in response to the January 31, 2005 Office Action. Accordingly, claims 1, 3 – 7, and 17 – 22 are presently pending in this application. No new matter has been added.

Claim Rejections

35 U.S.C. § 112

Claims 1 – 16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. According to the Examiner, claimed limitations are not shown in the Figures and/or lacks support in the specification and therefore fails to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully submits that the subject matter of each claim is shown in the figures and/or is supported in the specification. For instance, support for claim 1 can be found in Figures 1 and 2, at page 2, lines 22 – 23, and at page 3, lines 1 – 17. Support for claim 3 can be found in Figure 2 and at page 3, lines 7 – 8. Support for claim 4 can be found in Figure 4 and at page 3, lines 4 – 5. Support for claim 5 can be found in Figures 1 and 2 and at page 3, lines 9 – 12 and 15 – 17. Support for claim 6 can be found in Figure 1 and at page 3, lines 9 – 12. Support for claim 7 can be found in Figure 2 and at page 3, lines 15 – 17. Applicant respectfully submits that claims 1 and 3 – 7 are supported in the specification and/or Figures sufficiently enough to convey to one skilled in the art that the applicant, at the time the

application was filed, had possession of the claimed invention. Accordingly, applicant respectfully requests reconsideration of the rejection based on 35 U.S.C. § 112.

35 U.S.C. § 102(b)

Claims 1 – 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,264,670 to Leonard. A claim is said to be anticipated where each and every limitation of the claim can be found in a single reference. Claims 2 and 8 – 16 have been cancelled, and claims 1, 5 – 7 have been amended to more particularly describe the invention. No new matter has been added. Applicant respectfully submits that the invention described in independent claim 1, as amended, is not disclosed or suggested by the Leonard ‘670 patent. Accordingly, the rejection based on 35 U.S.C. § 102(b) is respectfully traversed.

The Leonard ‘670 Patent

The Leonard ‘670 patent discloses a switch and light assembly 10 that is mounted in an automotive dashboard 12 over a glove compartment 14 having an integral compartment door 16. (Col. 2, ll. 28 – 31). The switch and light assembly 10 includes a plunger 30 that is in sliding engagement with a body member 22. (Col. 2, ll. 47 – 51). A light source such as a bulb 50 is mounted in the plunger 30. (Col. 3, ll. 6 – 7). When the door 16 of the glove compartment 14 is closed, the plunger 30 is disposed within the body member 22, and when the door 16 is opened, the plunger 30 slides out of the body member 22. However, the Leonard ‘670 patent neither discloses nor suggests at least one lighting source fixedly mounted relative to a backplate.

The Console Bin of the Present Invention

In contrast to the related art, amended independent claim 1 clarifies the invention claimed as a console bin for storage of articles in a motor vehicle. The console bin includes a backplate and a storage bin adapted for holding the articles, wherein the storage bin is moveably mounted to the

backplate. The console bin also includes a plunger switch and at least one lighting source *fixedly mounted relative to the backplate* and operable to illuminate the storage bin when the storage bin moves away from the backplate. The plunger switch turns on the lighting source when the storage bin moves away from the backplate so as to illuminate the storage bin. The plunger switch turns off the lighting source when the storage bin moves toward the backplate.

Argument

Applicant respectfully submits that the console bin of claim 1, as amended, is not disclosed or suggested by the Leonard '670 patent. Specifically, the Leonard '670 patent *merely* discloses a switch and light assembly 10 mounted in a dashboard 12, wherein the assembly 10 has a plunger 30 with a bulb 50 for illuminating a glove compartment 14, and the plunger 30 slides in and out of a body member 22. However, the Leonard '670 patent neither discloses nor suggests at least one lighting source fixedly mounted relative to a backplate as required by claim 1. In the Leonard '670 patent, the bulb 50 *slidably moves* relative to the dashboard 12.

Each of the references of record in this case fails to disclose or suggest a console bin for storage of articles in a motor vehicle that includes a backplate, a storage bin adapted for holding the articles, wherein the storage bin is moveably mounted to the backplate, a plunger switch, and at least one lighting source fixedly mounted relative to the backplate and operable to illuminate the storage bin when the storage bin moves away from the backplate, wherein the plunger switch turns on the lighting source when the storage bin moves away from the backplate so as to illuminate the storage bin, and wherein the plunger switch turns off the lighting source when the storage bin moves toward the backplate. Therefore, it is respectfully submitted that claim 1 is allowable over the rejections under 35 U.S.C. § 102(b).

Claims 3 – 7 are each ultimately dependent upon claim 1 and add perfecting limitations. Accordingly, it is respectfully submitted that claims 3 – 7 are allowable over the rejections under 35 U.S.C. § 102(b).

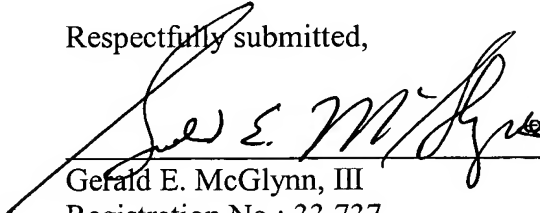
New Claims 17 – 22

As noted above, claims 17 – 22 have been added to the application by way of this Amendment. Support for claim 17 can found in the specification at page 3, lines 12 – 15. Support for claims 18 and 19 can be found in Figures 1 and 2. Support for claims 20 – 22 can be found in Figure 2. As such, no new matter was added. New claims 17 – 22 are each ultimately dependent upon claim 1 and add perfecting limitations. Therefore, it is respectfully submitted that claims 17 – 22 are each in condition for allowance.

Conclusion

In view of the above, applicant respectfully submits that the claims clearly distinguish over the prior art and are therefore allowable. Accordingly, applicant respectfully solicits the allowance of the claims pending in this case.

Respectfully submitted,



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Date: March 8, 2005
Attorney Docket No.: 04323 (3883.00064)